# UNITED STATES PATENT AND TRADEMARK OFFICE

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| 09/468,447 | 12/21/1999 | DARIN J. MORROW | BELL-0006//9 | 3651 |

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| EXAMINER |
|---|
| BARQADLE, YASIN M |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2153 | |

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

|  | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 09/468,447 | MORROW ET AL. |
|  | Examiner | Art Unit |
|  | Yasin M. Barqadle | 2153 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on <u>23 February 2005</u>.

2a)☒ This action is **FINAL**.     2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

    4a) Of the above claim(s) *3 and 15* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-2,4-14 and 16-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

## Response to Amendment

1.   Applicant's arguments filed 02/23/05 has been have been

fully considered but are not deemed to be persuasive.


- Claims 3 and 15 have been canceled.

- Claims 1,2,4-14 and 16-35 are presented for examination.


## Response to Arguments


In response to applicant argument on page 4, first

paragraph that "Knox system searches the database based on the

client and then notifies same ..., the present invention as

recited in the claims starts with the status information and

work to the customer, while the Knox system in contrast starts

with the client and works towards the status information".

Examiner disagrees and would to direct applicant's attention to

page 1, paragraphs 0017-0021 where Knox states "the invention is

a system for providing status information to a client based on

data residing in an electronic database. The database of the

information is maintained and updated, and is periodically

analyzed by the inventive system to determine whether at least a

portion of the data has changed since the last analysis. If so,

the client is automatically informed by the system, which

initiates an automatic voice response call out to the client.

Thus, Knox clearly teaches periodically analyzing status

information for a new piece of information (updated information)

since the last analysis and automatically informing the client

(interested party) about the updated status information. Knox

also teaches an automatic notification mode as the status of a

project is changed (page 2, paragraph 0025).

In response to applicant's argument on page 6, last

paragraph, that " neither the Knox reference nor the Fisher

reference discloses, teaches, or suggests, alone or combined, an

internal mail device that receives status information and that

ascertains from the received status information an interested

party". Examiner contends that, Knox teaches an automatic voice

response (AVR) call out to the client system in addition to

communicating with the client via email, pager and telephone

(paragraph 0013 and 0021). Knox teaches an electronic database

updated by an e-file. The database of the information is

maintained and updated (paragraphs 0013 and 0018-0019), these

updated information is sent to the clients electronically via

email, pager and telephone. Since Knox teaches notifying clients

automatically by email or by telephone (paragraphs 0025 and

0026) when project status is changed, he must locate client

telephone numbers or email addresses prior to establishing any

communication.  Furthermore, the references as combined teach

the internal mail device as shown in Fisher et al fig. 2 and

fig. 5, paragraphs 0023-28].

In response to applicant's argument on page 7, first paragraph,

that " neither the Knox reference nor the Fisher reference

discloses, teaches, or suggests, alone or combined, an ID

database, or that a status system tags status information stored

therein with an ID identifying the interested part, or the ID

database includes a record having the ID and the electronic mail

address for interested part." Examiner contends that the

combined reference of Knox and Fisher teach this limitation. For

example, Knox teaches change records 14 (database) where a list

of clients and the current status to be reported to the

inquiring client (interested party) reside. The clients are

automatically updated upon a change of status of the company

database via email, pager and telephone  ¶ 0019-0023). The

Company database contains current status of an electronically

filed tax return (¶0018 and 0025). It is well known to use

social security numbers as an ID to identify clients as

suggested by Knox ¶ 0025-0028). Therefore, Knox obviously

teaches ID database to identify who to notify and what means to

use in notifying clients (email, pager, or telephone). As for

tagging status information, Fisher teaches setting a flag on a

particular database record indicting a change in status)  [page

2, ¶ 0023-24] to indicate what records have un "Update Status"

flag set and if so, the appropriate status record is fetched

from the status database where customers are provided with the

latest status information immediately via electronic mail [page

1, ¶ 009 and page 2, ¶ 0026-27].


*Claim Rejections - 35 USC § 103*


The following is a quotation of 35 U.S.C. 103(a) which

forms the basis for all obviousness rejections set forth in this

Office action:

> (a) A patent may not be obtained though the invention is not identically
> disclosed or described as set forth in section 102 of this title, if the
> differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time
> the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains.  Patentability shall not be negatived by the
> manner in which the invention was made.

2.    Claims 1,2,4-14 and 16-24 are rejected under 35 U.S.C.

103(a) as being unpatentable over Knox Pub. No. (20030103605) in

view of Fisher et al Pub. No. (20030088473).


As per claim 1, Knox teaches a status reporting system (SRS) for

automatically reporting updated status of a project to an

interested party based on status information stored in a status

system, the SRS being communicatively coupled to the status

system and comprising (abstract):

a monitoring device (call out manager 16 and change records

14, fig. 1, paragraphs 0017-0020) contacting the status system

to determine whether such status system has new status

information stored therein and obtaining such new status

information from the status system [database status changes are

reported to clients automatically or upon client's request page

1, ¶ 0017. See also ¶ 0019]; and

an internal mail device receiving the obtained status

information (status information residing in an electronic

database is updated by an e-file and clients are notified

automatically via e-mil ¶ 0013 and ¶ 0027-0028), ascertaining

from the received status information the interested party

(system identifies clients who may have requested status

information communication ¶ 0023-0026), locating an electronic

mail address for the interested party (communicating via e-

mail, one must inherently locate the e-mail address of the

client page 1, ¶ 0008 and ¶0026), formatting the received

status information into a piece of electronic mail which

includes the received status information and the located

electronic mail address, and forwarding the piece of electronic

mail to the interested party by way of an electronic mail

service [page 2, ¶ 0019-0026].

the SRS of further comprising ID database (change record

14, fig. 1, contains fields where data is stored and a list of

clients to be notified page 2, ¶ 0019-23), the status system

information stored therein with an ID identifying the interested

party, the database including a record having the ID and the

electronic mail address for the interested party (change records

14 reside a list of clients and the current status to be

reported to the inquiring client), and the internal mail device

locating the electronic mail address for the interested party

from the database based on the ID (tagged see Fisher below) to

the received status information [page 2, ¶ 0019-0026].

Although Knox shows substantial features of the claimed

invention, he is silent regarding tagging the status

information.

Nonetheless, this feature is well known in the art and

would have been an obvious modification of the system disclosed

by Knox as evidenced by Fisher et al Pub. No. (20030088473).

In analogous art, Fisher et al whose invention is a system for

updating automatic status update using electronic mail, disclose

tagging the status information (setting a flag or a particular

database record indicting a change in status) [page 2, ¶ 0023-

24]. Giving the teaching of Fisher et al where setting a flag on

a particular database record indicates a change in status

information, a person of ordinary skill in the art would have

readily recognized the desirability and the advantage of

modifying Knox by employing the system of Fisher et al because

it will indicate what records have un "Update Status" flag set

and if so, the appropriate status record is fetched from the

status database where customers are provided with the latest

status information immediately via electronic mail [page 1, ¶

009 and page 2, ¶ 0026-27].


As per claim 2, Knox teaches The SRS of claim 1 wherein the

electronic mail service is selected from a group consisting of

an Internet E-Mail mail service, an Internet voice mail service,

and a telephone-based voice mail service, and wherein the

internal mail device formats the received status information

into a piece of electronic mail compatible with the selected

electronic mail service [page 2, ¶ 0021-0026].


As per claim 4, Knox teaches the SRS of claim 1 wherein the ID

database includes a record having the ID and electronic mail

addresses for a plurality of interested parties, and wherein the

internal mail device locates the electronic mail addresses for

the plurality of interested parties from the ID database based

on the ID tagged to the received status information, formats the

received status information into a piece of electronic mail

which includes the received status information and the located

electronic mail addresses, and forwards the piece of electronic

mail to the plurality of interested parties by way of the

electronic mail service [page 2, ¶ 0019-0026].

As per claim 5, Fisher et al teach the SRS of claim 1 further

comprising a status database including status data, the

monitoring device referring to the status data in the status

database in conjunction with determining whether the status

system has new status information stored therein [page 2, ¶

0023-0027].

As per claim 6, Knox teaches the SRS of claim 5 wherein the

status data in the status database includes previous status

information obtained from the status system for the project, and

wherein the monitoring device compares the status information

for the project as stored in the status database and the status

information for the project as stored in the status system and

notes differences that identify the new status information [page

2, ¶ 0019-0025]. See also Fisher et al page 2, ¶ 0023-0027].

As per claim 7, Knox teaches the SRS of claim 6 wherein the

status database is updated with the new status information [page

2, ¶ 0019-0023].

As per claim 8, Knox teaches the SRS of claim 5 wherein each

piece of status information stored in the status system is

tagged with a time stamp, wherein the status data it the status

database includes a time indicative of a last contact review of

the status system by the monitoring device, and wherein the

monitoring device obtains from the status system only those

pieces of status information stored therein that have a time

stamp later than the time of the last review as stored in the

status database [page 2, ¶ 0017-0020 and ¶ 0025-0028].

As per claim 9, Knox teaches the SRS of claim 8 wherein the

status database is updated with time indicative of the present

review [page 2, ¶ 0017-0020 and ¶ 0025-0028].

As per claim 10, Fisher et al teaches the SRS of claim 1 wherein

the monitoring device contacts the status system and obtains the

new status information therefrom automatically on a periodic

basis [page 2, ¶ 0026-0027].

As per claim 11, Knox teaches the SRS of claim 1 for

automatically reporting updated status of a plurality of

projects to corresponding interested party based on status

information stored in the status system, wherein the internal

mail device receives obtained pieces of status information,

ascertains from each received piece of status information the

corresponding interested party, locates an electronic mail

address for the corresponding interested party, formats the

received piece of status information into a piece of electronic

mail which includes the received piece of status information and

the located corresponding electronic mail address, and forwards

the piece of electronic mail to the corresponding interested

party by way of the electronic mail service [page 2, ¶ 0017-

0028].

As per claim 12, Knox teaches the SRS of claim 1 further

comprising a memory storing the obtained new status information

[page 2, ¶ 0019-0023].

As per claim 13, this is a method clam with similar limitations as claim 1 above. It is rejected for the same reasons as explained in claim 1 above.

As per claim 14, Knox teaches The SRS of claim 13 wherein the electronic mail service is selected from a group consisting of an Internet E-Mail mail service, an Internet voice mail service, and a telephone-based voice mail service, and wherein the internal mail device formats the received status information into a piece of electronic mail compatible with the selected electronic mail service [page 2, ¶ 0021-0026].

As per claim 16, Knox teaches the method of claim 13 comprising ascertaining a plurality of interested parties from an ID identifying the plurality of interested parties and (tagged see Fisher et al ¶ 0023-24) to the received status information and locating an electronic mail address for each interested party based on the ID ((tagged) see Fisher et al ¶ 0023-24)) to the received status information [page 2, ¶ 0019-0026].

As per claim 17, Fisher et al teach method of claim 13 further comprising referring to status data in conjunction with

determining whether the status system has new status information

stored therein [page 2, ¶ 0023-0027].


As per claim 18, Knox teaches the method of claim 17 wherein the

status data includes previous status information obtained from

the status system for the project, the method comprising

comparing the previous status information for the project and

the status information for the project as stored in the status

system and noting differences that identify the new status

information [page 2, ¶ 0017-0025].

As per claim 18, Knox teaches the method of claim 18 comprising

updating the status data with the new status information [page

2, ¶ 0019-0023].


As per claim 19, Knox teaches the method of claim 17 wherein

each piece of status information stored in the status system is

tagged with a time stamp, and wherein the status data includes a

time indicative of a last contact review of the status system,

the method comprising obtaining from the status system only

those pieces of status information stored therein that have a

time stamp later than the time of the last review as stored in

the status data [page 2, ¶ 0017-0020 and ¶ 0025-0028].

As per claim 21, Knox teaches the method of claim 20 comprising

updating the status data with a time indicative of the present

review [page 2, ¶ 0017-0020 and ¶ 0025-0028].


As per claim 22, Knox teaches the method of claim 13 comprising

contacting the status system and obtaining the new status

information therefrom automatically on a periodic basis [page 2,

¶ 0017-0023].


As per claim 23, Knox teaches the method of claim 13 comprising

automatically reporting updated status of a plurality of

projects to corresponding interested party based on status

information stored in the status system [page 2, ¶ 0019-0023].


As per claim 24, Knox teaches the method of claim 13 further

comprising storing the obtained new status information in a

memory [page 2, ¶ 0019-0023].


As per claims 25-35 are computer-readable medium claims that

correspond to claims 13-24 above, therefore, they are rejected

with same rationale.

## Conclusion

1.   **ACTION IS MADE FINAL.**  See MPEP § 706.07(a).  Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action.  In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action.  In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947.  The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, Glenn Burgess can be

reached on 571-272-3949.  The fax phone numbers for the

organization where this application or proceeding is assigned

are 703-872-9306 for regular communications and 703-746-7238 for

After Final communications.

Any inquiry of a general nature or relating to the status

of this application or proceeding should be directed to the

receptionist whose telephone number is 703-305-3900.


Yasin Barqadle

Art Unit 2153

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